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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,167	09/15/2003	Harry Bims	1875.7300004	2824
26111	7590	10/28/2005	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			MEHRA, INDER P	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/663,167	BIMS, HARRY
	<b>Examiner</b>	<b>Art Unit</b>
	Inder P. Mehra	2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 September 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9, 12-22 and 25 is/are rejected.
- 7) Claim(s) 10, 11, 23 and 24 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/10/03.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. This office action is in response to application no. 10/663,167 dated: 9/15/2003.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 11/10/05 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it does not include documents for “Foreign Patent Documents” and “NON-PATENT LITERATURE DOCUMENTS”. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

### ***Priority***

3. Claims supported by the parent application be identified in order to claim benefit of priority of parent application.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “limitations of claims 1, 13, 14

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and 25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "a second connection" in line 2. There is insufficient antecedent basis for this limitation in the claim, because it is preceded by similar limitation in line 4 of claim 1. Similar problem exists in claim 5 line 3, claim 15 line 2,

Claim 3 recites the limitation "interfaces" in line 2. There is insufficient antecedent basis for this limitation in the claim. In claims 1 and 2, first and second interfaces have been recited.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-8, 13-21 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by

**Hagen** (US Patent application no. 2002/0075844),

For claims 1, 5-8, 13-14, 18-21 and 25, Hagen discloses in reference to fig. 1, a method, comprising:

- allowing a station to have a first connection to a network over a first interface (WAP 3, 4 and associated NAS 5 associated with interface 6), ( refer to “**permit those mobile terminals 1 which are authorized to access the private LAN 10 to do so through NAS 7**”, refer to paragraph 0057 ; and
- determining that the station (interface 8 to NAS7) is attempting to have a second connection to the network over a second interface other than the first interface. (The

**resource provider may determine that in addition to hosting unknown or foreign mobile terminals 1, which are not to be provided access to LAN 10, the resource provider will also host mobile terminals 1 which the resource provider owns or for other reasons has determined to provide access to LAN 10, refer to paragraph 0057);**

- As recited by claims 5-8, 13 and 18-21, enforcing a security policy with respect to the single station in response to the single station attempting to have a plurality of interfaces by which to access the network resource (the subscriber's assigned quality of service (QOS) level, any applicable security policies in force, etc., refer to paragraph 0050);
- As recited by claim 25, performing an action in response to determining the station is attempting the other connection (This connection is preferably protected via an IP filter or more preferably a complete firewall to control and limit or prevent access by the mobile terminal 1 to the private network 10, refer to paragraph 0057).

For claims 2-4 and 15-17, Hagen discloses the method defined in Claim 1, as above, wherein determining that the station is attempting to have a second connection to the network comprises checking memory associated with the station to see if the first and second interfaces belong to the station, (refer to paragraph 0069 “Appropriate discrimination between private network clients and public access only subscribers can be achieved by establishing and maintaining pre-arranged address reservations in the DHCP for specified mobile terminal

**equipment addresses, or alternatively by arranging and permitting the DHCP server to have programmatic access to mobile terminal network adapter address tables in the NAS".**

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hagen**, as above, in view of **Singhal et al** (US Patent Application No. 2003/0195002), hereinafter, Singhal.

For claims 9 and 22, Hagen discloses all the limitations of subject matter with the exception of the following limitations, which are disclosed by Singhal, as follows:

- wherein disabling the first connection comprises removing a MAC address associated with the first interface from a list of active stations, (refer to paragraph 0069). “

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of “disabling the first connection comprises removing a MAC address associated with the first interface from a list of active stations”, as taught by Singhal in the (system). The capability can be implemented by connecting core, as suggested by Singhal, into the interface. The motivation for using this capability is to provide seamless network connectivity.

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11. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hagen**, as above, in view of **Hoskins et al** (US Patent Application no. 2003/0106067),

For claim12, Hagen discloses all the limitations of subject matter with the exception of the following limitations, which are disclosed by Hoskins, as follows:

- wherein the security policy allows access to the network by the station over multiple interfaces., (refer to paragraph 0013. “

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of “the security policy allows access to the network by the station over multiple interfaces”, as taught by Hoskinsin the (system). The capability can be implemented by connecting core, as suggested by Singhal, into the interface. The motivation for using this capability is to provide seamless network connectivity.

#### *Allowable Subject Matter*

12. Claims 10-11 and 23-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Prior Art of Record*

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- **Spearman** (US Patent Application no. 2003/0051170) discloses a wireless public domain wide area network for providing high throughput data services.

***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 10/24/05  
Inder P Mehra  
Examiner  
Art Unit 2666



DANG TON  
PRIMARY EXAMINER